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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/508,692	03/29/2000	JEAN-BAPTISTE ALBERTINI	0846-0544-2-	2693

7590

09/13/2002

OBLON SPIVAK MCCLELLAND  
MAIER & NEUSTADT  
1755 JEFFERSON DAVIS HIGHWAY  
FOURTH FLOOR  
ARLINGTON, VA 22202

EXAMINER

DONOVAN, LINCOLN D

ART UNIT

PAPER NUMBER

2832

DATE MAILED: 09/13/2002

22

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.  
09/508,692

Applicant(s)  
Albertini et al.

Examiner  
Lincoln Donovan

Art Unit  
2832

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on Jun 26, 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 20-29 is/are pending in the application.
- 4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 20-29 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some\* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_ 6) ☐ Other:

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## DETAILED ACTION

### *Claim Rejections - 35 USC § 112*

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 20-28 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 20, line 2, applicant should clarify what is intended by the magnetic layer being “coupled” to a conductive winding. In line 3, the structure of the “plurality of walls of insulating material disposed within the magnetic layer.” is unclear. There is no antecedent basis for “a median line of the magnetic layer generating a demagnetizing field.”

Regarding claim 24, line 2, applicant should clarify what is intended by the magnetic layer being “coupled” to a conductive winding. In line 3, the structure of the “plurality of gaps disposed within the magnetic layer.” is unclear. There is no antecedent basis for “a median line of the magnetic layer generating a demagnetizing field.”

Regarding claim 28, line 2, applicant should clarify what is intended by the magnetic layer being “coupled” to a conductive winding. In line 3, the structure of the “plurality of gaps disposed within the magnetic toroid.” is unclear. There is no antecedent basis for “a median line of the magnetic layer generating a demagnetizing field.”

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***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 20-27, as best able to be understood in view of the rejections under 35 U.S.C. 112, second paragraph, are rejected under 35 U.S.C. 103(a) as being unpatentable over JP 5-62123.

JP 5-62123 discloses a magnetic circuit [figure 5] comprising:

- a magnetic layer [8] "coupled to a magnetic winding;" and
- a plurality of walls/gaps [figure 5] disposed "within the magnetic layer" at positions perpendicular to a median line thereof.

JP 5-62123 disclose the instant claimed invention except for: the gaps providing a demagnetizing field.

It would have been obvious to one having ordinary skill in the art at the time the invention was made that the gapped configuration shown by JP 5-62123 would provide the demagnetizing effect.

The particular shape and arrangement of the walls/gaps would have been an obvious design consideration based on the specific application intended for the device.

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5. Claims 28-29, as best able to be understood in view of the rejections under 35 U.S.C. 112, second paragraph, are rejected under 35 U.S.C. 103(a) as being unpatentable over as applied to claims 20 and 24 above, and further in view of Casagrande [US 5,376,912].

JP 5-62123 disclose the instant claimed invention except for: the gaping/layer design being used in a toroid type winding.

Casagrande discloses a gapped core design for a transformer/inductor.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to use a toroidal gapped core for the winding design of JP 5-62123, as suggested by Casagrande, for the purpose of improving magnetic field characteristics.

### ***Response to Arguments***

6. Applicant's arguments with respect to claims 20-29 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Gardner [Pub # 2001/0050607], Gaud et al. [US 5,566,442] and Lazzari [US 5,648,884].

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Lincoln Donovan whose telephone number is (703) 308-3111.

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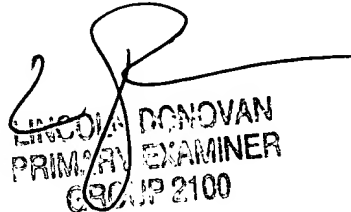
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The fax number for this Group is (703)-872-9318.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703)308-0956.

LDD

September 10, 2002

  
LINCOLN DONOVAN  
PRIMARY EXAMINER  
GROUP 2100